## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

) CHARLES HENRY IRELAND FOLTZ, ) ) Plaintiff, ) Civil Action No. ) v. 22-10828-NMG ) ) THE COMMONWEALTH OF MASSACHUSETTS, ) Defendant.

ORDER

## GORTON, J.

On May 31, 2022, plaintiff Charles Henry Ireland Foltz submitted for filing a complaint accompanied by a one-page affidavit of indigency that was entered on the docket as a motion for leave to proceed in forma pauperis. Foltz brings this civil action for monetary damages and injunctive relief against the Commonwealth of Massachusetts alleging, among other things, the violation of his rights during criminal proceedings in the Orleans District Court.

A review of the Court's records reveals that Foltz filed several actions while confined to the Barnstable County Correctional Facility ("BCCF"). See Foltz v. Harrington, C.A. No. 21-11940-DJC (order granting motion to dismiss June 21, 2022); Foltz v. Commonwealth, C.A. No. 21-11848-FDS (dismissed Apr. 19, 2022); Foltz v. Commonwealth, C.A. No. 21-11865-DJC

(summary dismissal of habeas petition Dec. 23, 2021); Foltz v. Commonwealth, C.A. No. 21-11915-AK (show cause order); and Foltz v. Commonwealth, C.A. No. 21-11865-DJC (summary dismissal of habeas petition Dec. 23, 2021); Foltz v. Welsh, C.A. No. 21-11915-AK (show cause order issued May 12, 2022); and Foltz v. Commonwealth, C.A. No. 22-10830-AK (filed May 31, 2022).

Here, Foltz raises identical claims to those asserted in the complaints filed in Foltz v. Commonwealth, C.A. No. 21-11915-AK (pending) and Foltz v. Commonwealth, C.A. No. 22-10830-AK (pending). In fact, the instant complaint is identical to the complaint filed in Foltz v. Commonwealth, C.A. No. 22-10830-AK.

Because Foltz' claims arise from alleged violations of Foltz' rights during criminal proceedings in the Orleans District Court, the Court dismisses them as impermissibly duplicative. A plaintiff "should not file duplicative lawsuits in the same court." Elliott-Lewis v. Labs., No. 19-10379-PBS, 378 F.Supp.3d 67, 70 (D. Mass. 2019) (citing Connectu LLC v. Zuckerberg, 522 F.3d 82, 89 n.5 (1st Cir. 2008)).

In light of the fact that Foltz is pursuing identical claims in already pending actions, and as a matter of judicial economy and the district court's inherent authority to manage its own dockets, this Court finds no good basis for permitting this duplicative complaint to proceed. See Elliott-Lewis, 378

F.Supp.3d at 70 (citing <u>Curtis v. Citibank, N.A.</u>, 226 F.3d 133, 138 (2d Cir. 2000) ("As part of its general power to administer its docket, a district court may stay or dismiss a suit that is duplicative of another federal court suit.").

Accordingly, it is hereby Ordered that this action is dismissed without prejudice.

So ordered.

Nathaniel M. Gorton

United States District Judge

Dated: July 7, 2022